

ASSIGNED

Serial No. 11397

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT 15 1945
Returned to applicant for correction _____
Corrected application filed _____

The undersigned B. F. PORTER ESTATE, a Corporation
Name of applicant
of 58 Sutter Street, City and _____, County of San Francisco (4),
State of California, hereby make application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.) Applicant is a corporation organized in, and under
the laws of, the State of California on or about September 7, 1907.

1. The source of the proposed appropriation is _____
Name of stream, lake, or other source
INDIAN SPRINGS for 1,000 head of cattle
2. The amount of water applied for is an adequate supply/ second-foot.
One second-foot equals 40 miners' inches
3. The water to be used for stock water
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
In the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, T. 39 N., R. 26 E., M.D.M., or at a point
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
from which the N $\frac{1}{4}$ corner said Sec. 35 bears N 25°00' E., 400.0'

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

- (c) Use will begin about _____ and end about _____, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Place of use NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, T. 39 N., R. 26 E., M.D.M.
Give location of place of use by legal subdivision.
- (f) Point of return of water to stream _____
Describe in same manner as point of diversion.
- (g) State number and kinds of animals to be watered 1,000 head of
cattle
- (h) Use will begin about Jan. 1st and end about Dec. 31st, of each year.
Month Month
- (i) Remarks _____

DESCRIPTION OF PROPOSED WORKS

Natural Pools

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

- Estimated cost of works
- Estimated time required to construct works Completed.
- Remarks

For use of applicant

B. F. PORTER ESTATE, a Corporation, Applicant.

By Porter Sesnon
Its President

Compared E.M.-A.T. HS/AM

(SEAL)

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of cattle served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.03 cubic feet per second, or sufficient to water 1,000 head of cattle.

Actual construction work shall begin on or before November 12, 1959

Proof of commencement of work shall be filed before December 12, 1959

Work must be prosecuted with reasonable diligence and be completed on or before November 12, 1960

Proof of completion of work shall be filed before December 12, 1960

Application of water to beneficial use shall be made on or before November 12, 1961

Proof of the application of water to beneficial use must be filed with State Engineer on or before December 12, 1961

Filed OCT 15 1945 Under 1392

PROOF OF COMMENCEMENT OF WORK FILED NOV 9 1959 WITNESS MY HAND AND SEAL this 12th day

PROOF OF COMPLETION OF WORK FILED OCT 2 1960

PROOF OF BENEFICIAL USE FILED OCT 2 1960

of May, 1959

CERTIFICATE No. 5140 ISSUED 6/19/61 for 0.03 cfs for

RECORDED 7/10/61 BK. B PAGE 91

Humboldt COUNTY RECORDER

State Engineer.

5 Applicant is the owner of the Bartlett Creek Ranch, the Battle Creek Ranch and the Plute Creek Ranch in western Humboldt County, Nevada. Since prior to the year 1867 applicant and its predecessors in interest have used said ranches and the public range in the adjacent area and all water sources on said ranches and such public range for feeding and watering livestock including horses, cattle and sheep. Said Ranches, such public range, and such water sources were so used for sufficient numbers of such livestock to utilize substantially all that portion of the public range readily available to livestock at all such water sources. The number, and kind of livestock, has varied, and will, vary with range and economic conditions. The applicant claims a vested right to water livestock at the source referred to in this application in sufficient numbers to utilize substantially all that portion of the public range readily available to livestock watering at such source. The filing of this application is for the purpose of making such rights of record and does not waive applicant's claim of such vested right.

The above information was obtained from a review of the files of the Department of the Interior, Bureau of Land Management, and the Bureau of Reclamation, and is being furnished to you for your information.